BEFORE THE IOWA
BOARD OF PSYCHOLOGY

IN THE MATTER OF THE	)	
	)	CASE NO. 08-004
HOWARD WEINBERG,	)	
License No. 00596,	)	**SETTLEMENT AGREEMENT**
	)	**AND FINAL ORDER**
Respondent.	)	

COMES NOW the Board of Psychology of the State of Iowa ("Board") and Howard Weinberg, ("Respondent"), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondent:

1. The Respondent is licensed to practice psychology in the State of Iowa, and holds license number 00596.

2. A Notice of Hearing and Statement of Charges was filed against the Respondent on September 2, 2009. A contested case hearing in this matter is scheduled for November 13, 2009.

3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.

4. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.

5. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order, and he agrees that the State's counsel may present this agreement to the Board.

6. This agreement is subject to approval of the Board. If the Board approves this agreement, it becomes the final disposition of this matter. If the Board fails to approve this agreement, it shall be of no force or effect to either party.

7. This agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

8. This Settlement Agreement and Final Order is a public record available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 22 and 272C.

9. The Board's approval of this agreement shall constitute a FINAL ORDER of the Board.

IT IS THEREFORE ORDERED:

10. The Respondent agrees to voluntarily surrender his license to practice psychology in the State of Iowa and understands that pursuant to 645 Iowa Administrative Code section 12.1(5) a voluntary surrender, when accepted by the Board, shall have the same force and effect as an order of revocation. This agreement shall constitute Respondent's written statement of intention to surrender his license pursuant to 12.1(5).

11. The Respondent shall surrender his psychology license to the Board within 10 days of the execution date of this Agreement. The execution date is that date which accompanies the Board Chairperson's signature.

12. By voluntarily surrendering his license, the Respondent agrees not to use any words or titles which imply or represent that he is a licensed psychologist or to otherwise hold himself

out to the public as a licensed psychologist or to engage in the practice of a psychology for which a license is required in the State of Iowa.

13. The Respondent agrees that should he ever seek reinstatement of his license to practice as a psychologist in the State of Iowa, such application shall be subject to the provisions of 645 Iowa Administrative Code section 11.31. In any application for reinstatement, the Respondent shall be required to submit evidence that demonstrates to the Board's satisfaction that the basis for the surrender of Respondent's license no longer exists and that it will be in the public interest for the license to be reinstated. The Respondent shall bear the burden of proof establishing these facts.

AGREED AND ACCEPTED:

This settlement agreement and final order is approved by the board on November 13, 2009.